



CRA-S-2781 of 2025

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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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CRA-S-2781 of 2025
Date of Decision: 24.09.2025

Sandeep Kaur @ Surinder Kaur

....Appellant

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present: Mr. Naveen Batra, Advocate
for the appellant.

Mr. Jatinder Pal Singh, Sr. DAG, Punjab.

Mr. Japjit Singh Johal, Advocate
for respondent No.2/complainant.

RUPINDERJIT CHAHAL, J (ORAL)

1. Prayer in the present appeal is for grant of anticipatory bail to the appellant in case FIR No.85 dated 11.07.2017 registered under Sections 337 and 511 of IPC and Section 3(i)(x) of the Scheduled Castes and Scheduled Tribes, 1989 (hereinafter in short as 'SC/ST Act'), at Police Station Bullowal, District Hoshiarpur.

2. Learned counsel for the appellant contends that the appellant has been falsely implicated in the present case and she has no concern with the said offence. He further contends that the FIR in question was registered against the husband of the appellant namely Gurjap Singh and she was roped in the case only because she is her wife. He argued that the said incident

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took place on 19.05.2015 and the FIR in question was registered on 11.07.2017 i.e. after an unexplained gap of more than two years, casting serious doubt on the prosecution story, which seems to be concocted one and not justifiable in the eyes of law. He further argued that the present appellant was not challaned and she was kept in column No.2 in the final report and only Gurjap Singh (husband of the appellant) is facing trial. It has also been contended that even if the contents of the FIR are taken to be true, then also, no offence under the provisions of SC/ST Act is made out against the appellant. Further, Gurjap Singh, who was specifically named in the FIR, has already been granted the concession of anticipatory bail by a Co-ordinate Bench of this Court, vide order dated 18.09.2017. During the proceedings of the trial, the appellant was wrongly summoned in this case under Section 319 of Cr.P.C. to face trial as an additional accused vide order dated 31.07.2025. He further argued there is not even an iota of evidence against her. Moreover, the petitioner has clean antecedents as she is not involved in any other case. Since the present appellant has been summoned under Section 319 of Cr.P.C., therefore, she apprehends her arrest, on her appearance before the trial Court.

3. On the other hand, learned State counsel while referring to the status report, has opposed the prayer for grant of anticipatory bail by submitting that the allegations levelled against the appellant are serious in nature. However, he does not dispute the fact the appellant was found innocent during the inquiry conducted by the police authorities and also the fact that the appellant is first time offender as she is not involved in any other case.



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4. Learned counsel for the complainant, while opposing the petition for anticipatory bail, has contended that the appellant has rightly been summoned by the trial Court as she has played an active role in the crime and, thus, does not deserve the concession of bail.

5. I have heard learned counsel for the parties and perused the record of the case.

6. Admittedly, the appellant was not named in the FIR, however, she has been summoned now under Section 319 Cr.P.C., vide order dated 31.07.2025. Since she has been summoned under Section 319 Cr.P.C., she is not required for any investigation or interrogation purposes as she is found innocent in the inquiry conducted by the higher police authorities and the said fact has also been stated in the reply filed by learned State counsel. The present appellant is only to face the trial for which her presence is required. That being so, no useful purpose would be served by sending the appellant behind the bars.

7. Considering the facts and circumstances mentioned above, the appellant is directed to appear before the trial Court within a period of four weeks from today. It is further directed that in that event, if the petitioner surrenders/appears before the trial Court, she shall be admitted to bail, on her furnishing bail/surety bonds, subject to the satisfaction of the concerned trial Court.

8. In case the appellant does not appear before the trial Court within the stipulated period of four weeks, the present order shall be deemed to be inoperative.

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9. Nothing stated hereinabove shall be construed as an expression of opinion on the merits of the case and the trial would proceed independently and the observations made in the present appeal are only for the purpose of adjudicating the present appeal.

10. With these observations, the present appeal is disposed of accordingly.

(RUPINDERJIT CHAHAL)
JUDGE

24.09.2025*D.Bansal*

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No